



#32
MAR 31 2016



MEMORANDUM

Planning Division – CC Memo No. 16-001d

DATE: MARCH 31, 2016

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, ACTING CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, SENIOR CITY PLANNER *ES*

SUBJECT: APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027/PPT15-0013 CANAL VIEW HOMES
Introduction and Tentative Adoption of Ordinance No. 4686

Request: Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for an eight-lot single-family residential subdivision

Location: Southeast corner of the Consolidated Canal and the Wildhorse Place alignment

Applicant: Rod Jarvis; Earl, Curley & Lagarde

The request was continued from the February 25, 2016, City Council meeting, with the direction from Council to reduce the number of lots from eight to seven, and to hold a neighborhood meeting with the adjoining residents.

The design team has reduced the number of lots to seven and conducted a neighborhood meeting on March 14th, at the Downtown Community Center. Due to the reduction in lots, the Area Plan Amendment is no longer necessary and has been withdrawn by the applicant. The proposed density has gone from 4.32 dwelling units per acre to 3.43 dwelling units per acre, bringing the property into compliance with the existing Area Plan designation.

Seven neighbors attended the neighborhood meeting. At the neighborhood meeting the neighbors requested additional trees and a sidewalk be provided in the landscape tract that is located in between the two sites; condition no. 5 within the Preliminary Development Plan conditions of approval has been added addressing the landscaping. The developer is willing to install the sidewalk with the assumption that the HOA extends their sidewalk to connect to it. Additionally, they requested that the Airport Commission's request for the sign indicating low-flying aircraft be eliminated. Planning Staff supports the elimination of the sign due to the proximity of the development being located north of the Loop 202 and east of the canal, and tucked west of a developed subdivision. Disclosures for future homebuyers will still be required.

While overall support was not provided, the neighbors appreciated the reduction in the lot numbers; however, still have concerns with traffic and the desire for speed humps along Wildhorse Place, and construction timing and staging. Traffic staff has surveyed Wildhorse Place to determine if speed humps meet City criteria for their installation, with an initial result that speed humps were not warranted; however, staff will install speed humps along Wildhorse Place, so long as there is resident and HOA approval consistent with the policies governing traffic calming. Lastly, the developer is cognizant of the concerns of the neighbors regarding construction traffic and timing and will work with the HOA to ensure that construction scheduling is provided and that contact information is provided for a responsible party in the event there are any construction concerns; condition no. 7 has been added addressing this.

The legal protest requiring a three-quarter vote by Council for approval remains in place.

SUMMARY OF CHANGES

In short, the neighborhood meeting that followed the Council meeting on February 25th, resulted in the following changes:

- 1) Reduction of lots from eight to seven,
- 2) Addition of trees being planted in the landscape tract in between the subdivisions (condition no. 5),
- 3) The elimination of balconies within the three eastern lots (condition no. 6),
- 4) Providing a contact for construction traffic and timing (condition no. 7), and
- 5) The installation of speed humps along Wildhorse Place

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend City Council approve the withdrawal of the Area Plan Amendment, and approve the Rezoning, PDP, and Preliminary Plat requests, subject to conditions.

BACKGROUND

The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment; approximately one-half mile east of the southeast corner of Willis and McQueen roads. The site is a remnant parcel from the construction of the Loop 202 Santan Freeway. Directly north is a single-family home that was annexed into the City of Chandler in 2010. East is the Canyon Oaks Estates single-family residential subdivision. Directly south is the Loop 202, with the Consolidated Canal running the length of the western boundary. The site is currently within the jurisdiction of Maricopa County and is zoned Rural-43 (RU-43). Annexation of the property is being requested in a preceding memo on the current agenda.

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AREA PLAN

The site is within the Chandler Airpark Area Plan and designated as supporting Low-Density Residential development with a density range of 1.6-3.5 dwelling units per acre. The request is for density of 3.43 dwelling units per acre, resulting in compliance with the area plan.

SITE LAYOUT / HOUSING PRODUCT

The two-acre site largely fits the definition of infill development due to the physical constraints surrounding the site. Seven lots for the approximate 2-acre site are proposed, with a density of 3.43 units per acre. The site is designed with private streets. Lot sizes range from 5,117 square feet up to 9,822 square feet. Minimum lot sizes within the adjacent neighborhood range from a minimum 7,200 square feet up to 9,240 square feet, depending on which phase of the neighborhood. Two floor plans are provided with a square footage of 2,955 and 3,400 square feet; both plans are two-story. Home sizes of the Canyon Oaks Estates subdivision range from 1,688 square feet up to 4,108 square feet. Both homes provide five bedrooms, with Plan B offering an option for a sixth bedroom. Plan A offers a two-car garage that is designed central to the house façade; Plan B provides a three-car garage.

Design of the homes utilizes a southwest color palette and similar design elements as provided in the Canyon Oaks subdivision. Thick wainscot stucco elements are provided along the façade with various stucco pop-outs and relief elements. Stone, shutter elements, and varying window designs are provided depending on the elevation.

Due to the site being adjacent to the canal, a ten-foot landscape area is provided, with the exception of the area adjacent to lot 6. Due to the size of the lot and home footprint, the full ten feet cannot be provided while maintaining the ten-foot rear setback. To discourage blind corners the perimeter wall corners are chamfered.

AIRPORT COMMISSION

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Administrator has issued a conflict evaluation report indicating that the Airport Commission found that the proposed subdivision does constitute a conflict with the existing or planned airport uses. Physical and administrative corrective actions were recommended.

Physical corrective actions included noise attenuation construction within the residential units, and a roadway style sign indicating the presence of low flying aircraft. Neighbors in Canyon Oaks Estates have requested the elimination of the roadway sign; Planning Staff is supportive of eliminating the sign.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective homeowners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations. Additionally, an aviation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the development to the airport including the noise contours, and over flight patterns. A copy of the Airport

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Administrator's report detailing the Airport Commission's recommendation is attached to this memo.

DISCUSSION

Planning Staff supports the request finding that the development of single-family residential is consistent with the overall goals of the Area Plan, and that the proposal provides a beneficial solution to a difficult infill piece. Furthermore, the design of the homes has been cognizant of the surrounding area and utilizes common elements within the larger community. Lastly, the development of the site resolves any longstanding conditions with the vacant lot and its proximity to the Consolidated Canal and Loop 202.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held Tuesday, November 16, 2016; eight neighbors attended and had general questions about the development, street system and design, whether or not the site is within a flood district, and questions pertaining to the housing product.
- Following the meeting, Planning Staff has responded to a number of the questions pertaining to City design standards that the neighbors had. As a follow-up to the neighborhood meeting and based on additional questions from the neighborhood, a meeting was held at the site on Thursday, January 21, 2016; nine neighbors attended. Requests were made to address the development from the adjacent neighbors resulting in a speed hump being added to the entry drive, reorganization of the stop signs located at the immediate four-way stop upon exiting the site, bollard lighting and path to be located in the landscape area in between the subdivisions, a separate tot lot in the proposed development, wrought-iron fencing and a gate along the canal, ensuring the landscape palette is consistent with the Canyon Oaks neighborhood, and a sidewalk located at the southern end of the development connecting to the canal. Planning Staff has worked with the Traffic, Fire, and Civil divisions to determine if the requests are considerable. The divisions have responded positively with the exception that a sidewalk cannot be provided on the southern portion of the neighborhood due to retention basins being in the area.
- The request has triggered a legal protest.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 5 Opposed: 0 Absent: 2 (Baron, Foley)

Three neighbors spoke, with two neighbors speaking in opposition and one neighbor in support. The opposing neighbors had concerns with the proposed density of the project and felt that the amount of homes could be reduced resulting in the density being consistent with the Canyon Oaks Estates subdivision. A concern was also expressed about the access to the homes through the existing subdivision as well as with the design of Wildhorse Place. Density of the adjacent subdivision is 2.7 dwelling units per acre, proposed density of the project is 4.3. It should be noted that the subdivision is designed such that four lots in the proposed development are adjacent to four lots in the Canyon Oaks Estates subdivision. While the access drive has been

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reduced, the Traffic, Fire, and Civil divisions have reviewed the design to ensure that traffic can move safely on the street; parking will not be allowed on the entry drive into the development.

RECOMMENDED ACTIONS

Area Plan

Planning Commission and Planning Staff recommend City Council withdraw the Area Plan Amendment, as it is no longer required.

Rezoning

Planning Commission and Planning Staff recommend City Council approve the Rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:

- a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.
- b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F.A.R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
- c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
- d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
- e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
- f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and over flight activity, and is encumbered by an avigational easement to the City of Chandler.”

9. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
10. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
11. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a wastewater treatment facility at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
12. At the time of sale, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the canal right-of-way

together with the adjoining easements dedicated to the City of Chandler, is developed as a multi-trail system for use by the general public.

Preliminary Development Plan

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.
2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
3. The applicant shall work with Planning Staff to ensure the landscape palette is consistent with the adjacent neighborhood.
4. The applicant shall work with Planning Staff to address the design elements requested by the adjacent neighborhood such as addressing traffic circulation concerns, incorporating bollard lighting in the adjacent tract, providing fencing adjacent to the canal, ensuring the landscape palette is consistent with the area, and the incorporation of a tot lot.
5. The applicant shall work with Planning Staff and the adjacent Canyon Oaks Estates HOA for the installation of trees within the landscape tract located between the two developments.
6. No balconies shall be provided on lots 1, 2, and 3 of the development.
7. The developer shall provide contact information for a responsible party associated with the construction of the project to the adjacent HOA for the purposes of ensuring that the neighborhood is aware of construction timing and scheduling, and that the contact information will be used in the event of neighborhood concerns.

Preliminary Plat

Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

PROPOSED MOTIONS

Area Plan Amendment

Move City Council withdraw Area Plan Amendment APL15-0006 CHANDLER AIRPARK AREA PLAN, as recommended by Planning Staff.

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Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 4686, approving Rezoning DVR15-0027 CANAL VIEW HOMES, from Agricultural to PAD for single-family residential, subject to the conditions recommended by Planning Commission and Planning Staff.

Preliminary Development Plan

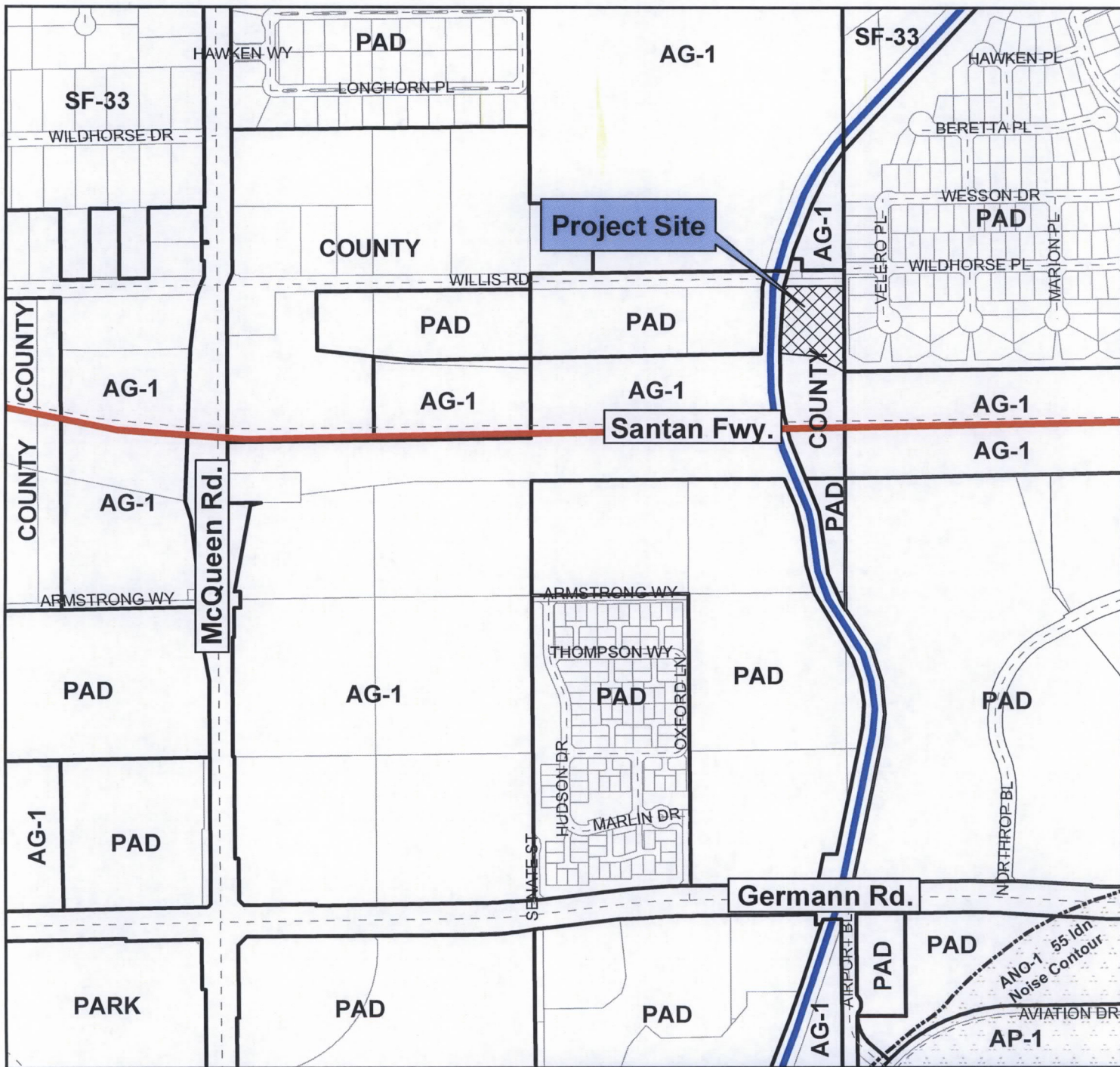
Move City Council approve Preliminary Development Plan DVR15-0027 CANAL VIEW HOMES, for site layout and building architecture, subject to the conditions as recommended by Planning Commission and Planning Staff.

Preliminary Plat

Move City Council approve Preliminary Plat PPT15-0013 CANAL VIEW HOMES, for a seven lot single-family residential subdivision, subject to the condition recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Representative Elevations
5. Representative Floor Plan
6. Preliminary Plat
7. Narrative
8. Airport Administrator's Report
9. Ordinance No. 4686
10. Development Booklet

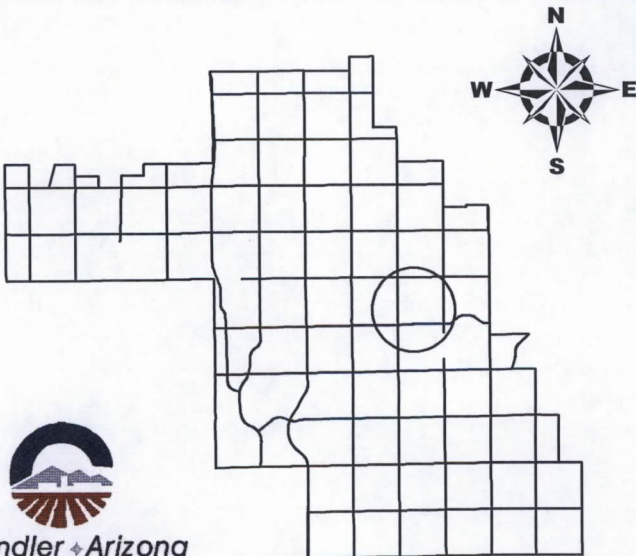


Vicinity Map



DVR15-0027

Canal View Homes



Chandler • Arizona
Where Values Make The Difference



Vicinity Map

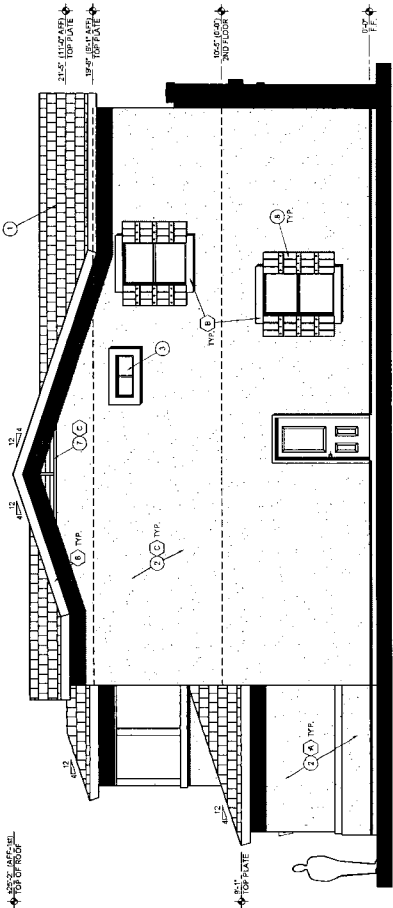


DVR15-0027

Canal View Homes

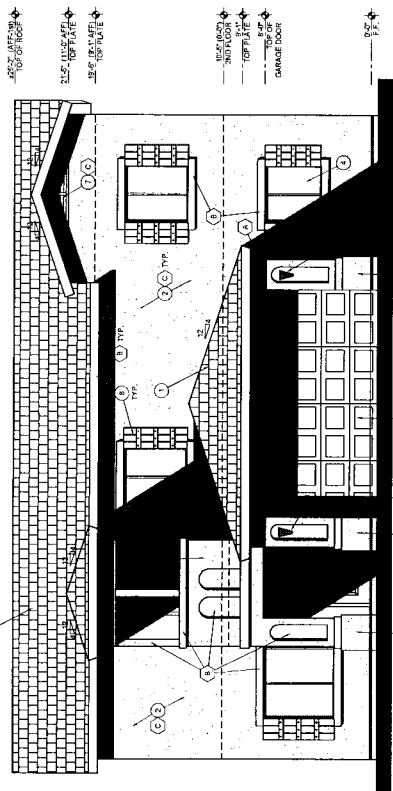


Chandler • Arizona
Where Values Make The Difference



UNIT "A" - RIGHT ELEVATION - A1

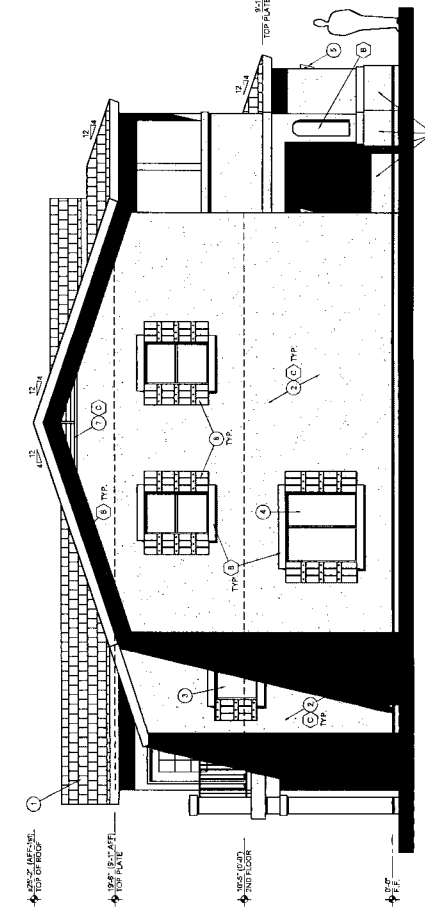
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UNIT "A" - FRONT ELEVATION - A1

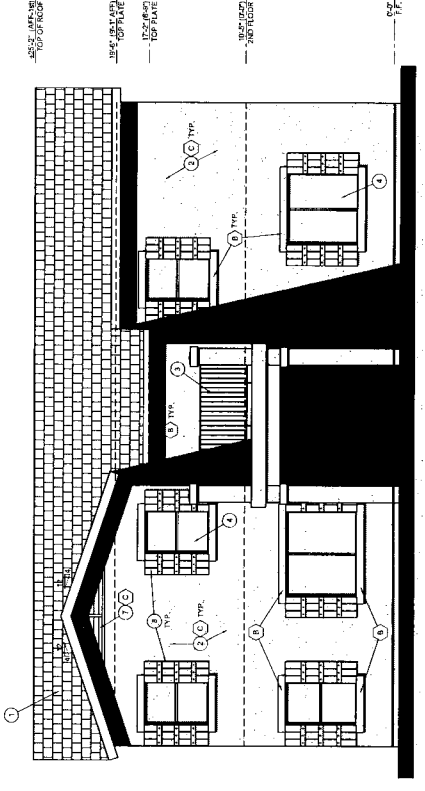
SCALE: 1/4" = 1'-0"

KEYNOTES	PAINT SCHEDULE	MATERIAL SCHEDULE
1. CONCRETE ROOF TILE - TYP.	A. COLOR: DES11T, "COLORADO TRAIL" - INV 20	ROOF TILE:
2. STUCCO SYSTEM EXTENDER FINISH - TYP.	B. ACCENT #2	MANUFACTURER: BOMAL ROOFING
3. STUCCO SYSTEM FINISH - TYP.	C. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING
4. STUCCO SYSTEM FINISH - TYP.	D. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING
5. STUCCO SYSTEM FINISH - TYP.	E. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING
6. STUCCO SYSTEM FINISH - TYP.	F. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING
7. STUCCO SYSTEM FINISH - TYP.	G. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING
8. STUCCO SYSTEM FINISH - TYP.	H. COLOR: DES11T, "DOVER PLAINS" - INV 41	MANUFACTURER: BOMAL ROOFING



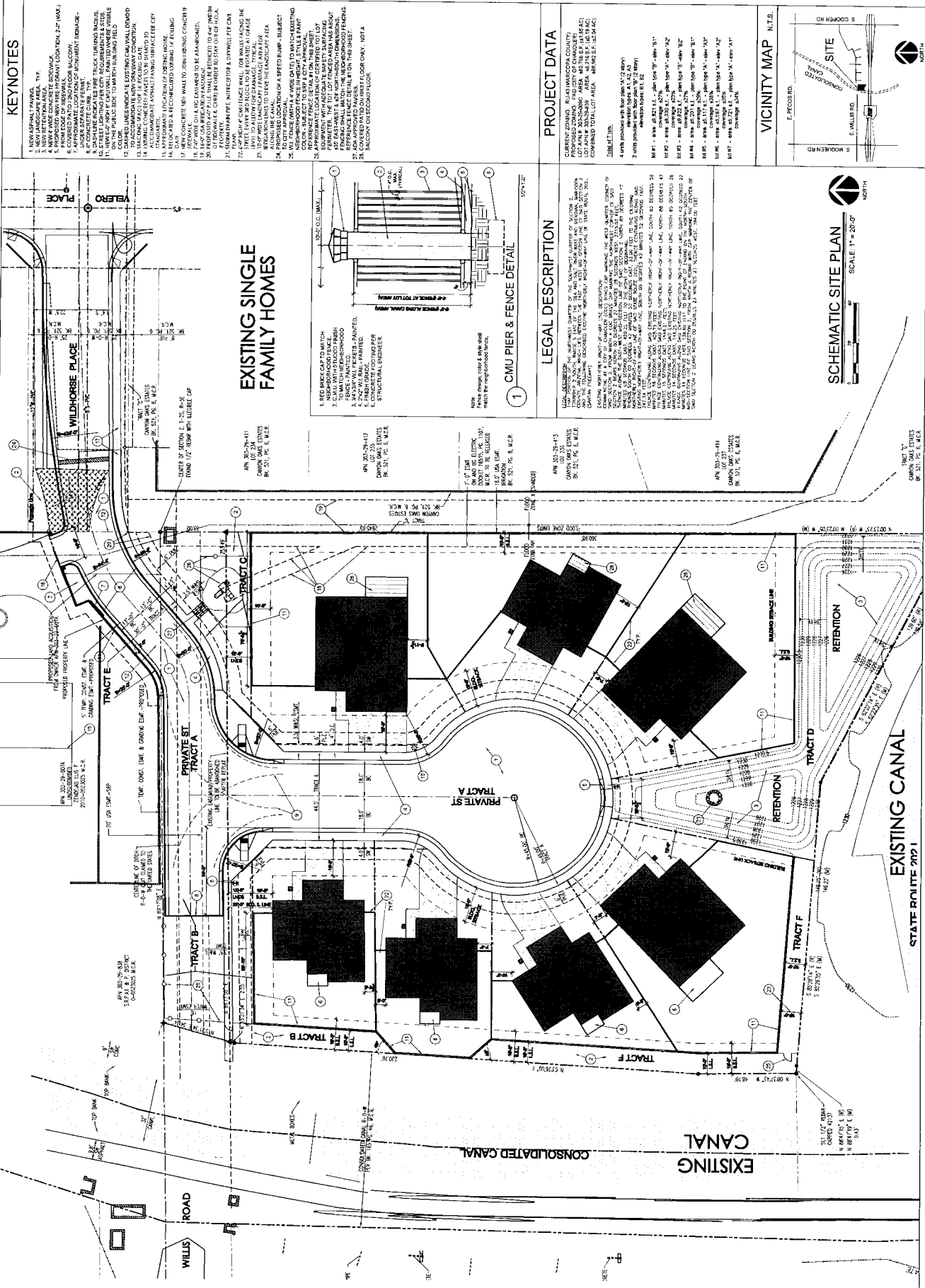
UNIT "A" - LEFT ELEVATION - A1

SCALE: 1/4" = 1'-0"



UNIT "A" - BACK ELEVATION - A1

SCALE: 1/4" = 1'-0"







ARCHITECTURE DEVELOPMENT MATRIX, PLLC
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CHANDLER, AZ



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PRELIMINARY - NOT
FOR RECORDING
OR CONSTRUCTION

PROJ. NO. 19001

DATE: 10-15-15

PROJECT: 19001

SCHEMATIC FLOOR PLANS

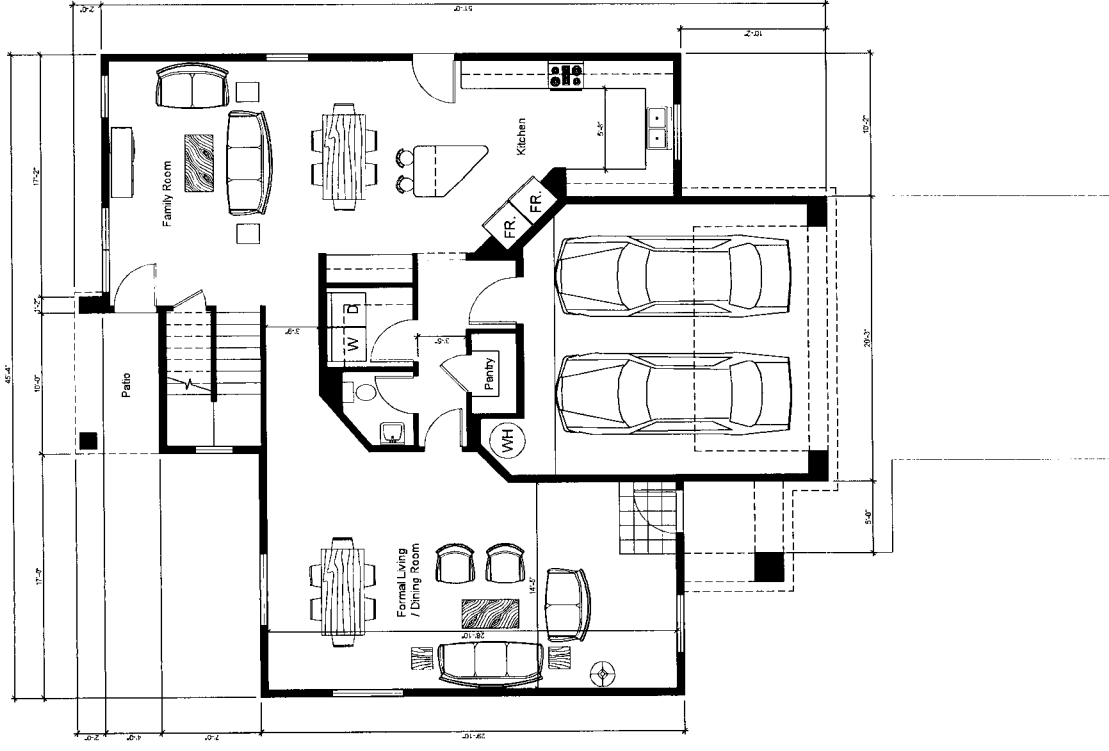
UNIT "A"

SHEET NUMBER

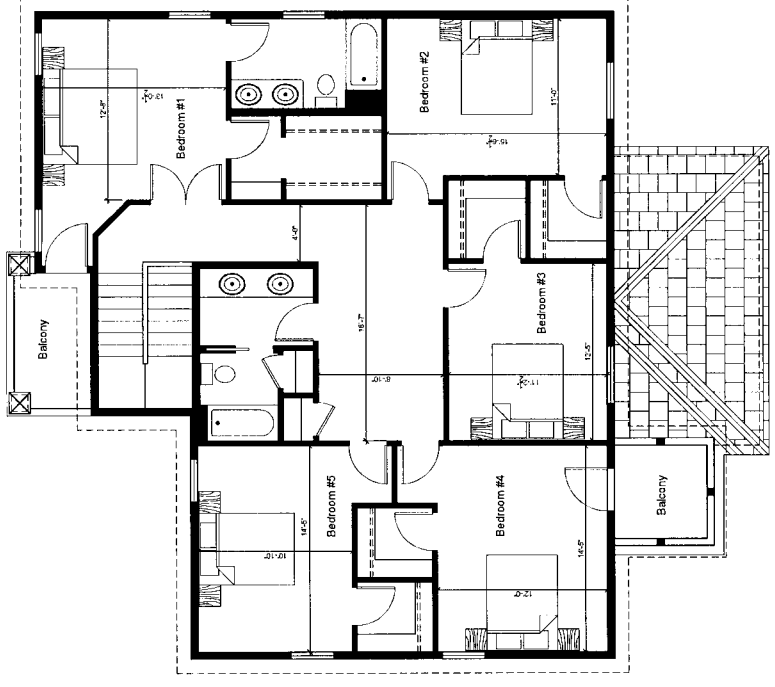
A-A1

NOTES

TOTAL LIVABLE SQ. FT. : 12,551 s.f.

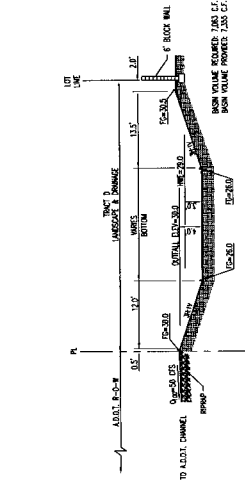


GROUND FLOOR - PLAN "A"
SCALE: 1/4" = 1'-0"
#1,384 s.f.



UPPER FLOOR - PLAN "A"
SCALE: 1/4" = 1'-0"
#1,551 s.f.

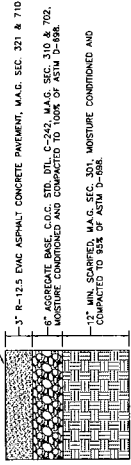
TRACT TABLE	
TRACT	LAND AND USE
A	PRIVATE STREET IMPROVEMENTS, MAINTENANCE, & EMERGENCY VEHICLES. STORM DRAINAGE, PUBLIC WATER AND SEWER, PUE
B	PRIVATE SIDEWALK, EASEMENT FOR PUBLIC ACCESS LANDSCAPE, OPEN SPACE, PUE, MAINTENANCE, & EMERGENCY VEHICLES.
C	PRIVATE SIDEWALK, EASEMENT FOR PUBLIC ACCESS LANDSCAPE, OPEN SPACE, PUE, MAINTENANCE & EMERGENCY VEHICLES.
D	DRAINAGE, PARKING, LANDSCAPE, OPEN SPACE
E	LANDSCAPE, OPEN SPACE
F	LANDSCAPE, OPEN SPACE



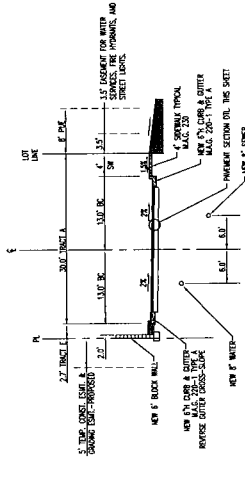
SECTION C-C
SCALE: 1"=10'

TYPICAL PAVEMENT SECTION

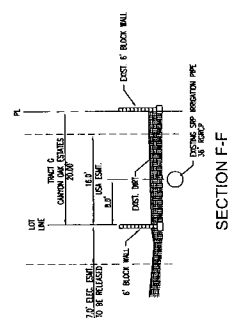
NOTES:
1. SITE PREPARATION AND GRADING SHALL COMPLY WITH THE GEOTECHNICAL EVALUATION REPORT FOR VALDES GATED COMMUNITY PREPARED BY PREMIER ENGINEERING CORPORATION, PROJECT NO. 20130172.
2. PAVEMENT SECTION TO COMPLY WITH C.O.C. STD. DTL. C-213.



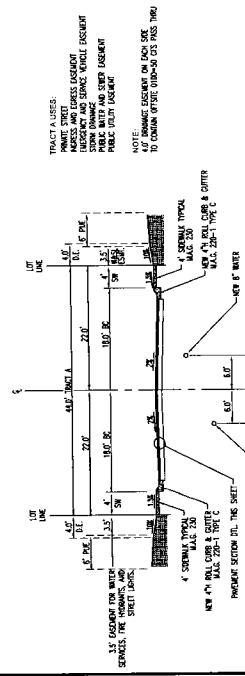
SECTION D-D
SCALE: 1"=10'



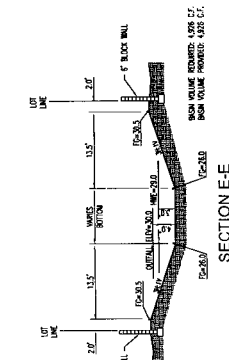
SECTION E-E
SCALE: 1"=10'



SECTION F-F
SCALE: 1"=10'



SECTION A-A
SCALE: 1"=10'



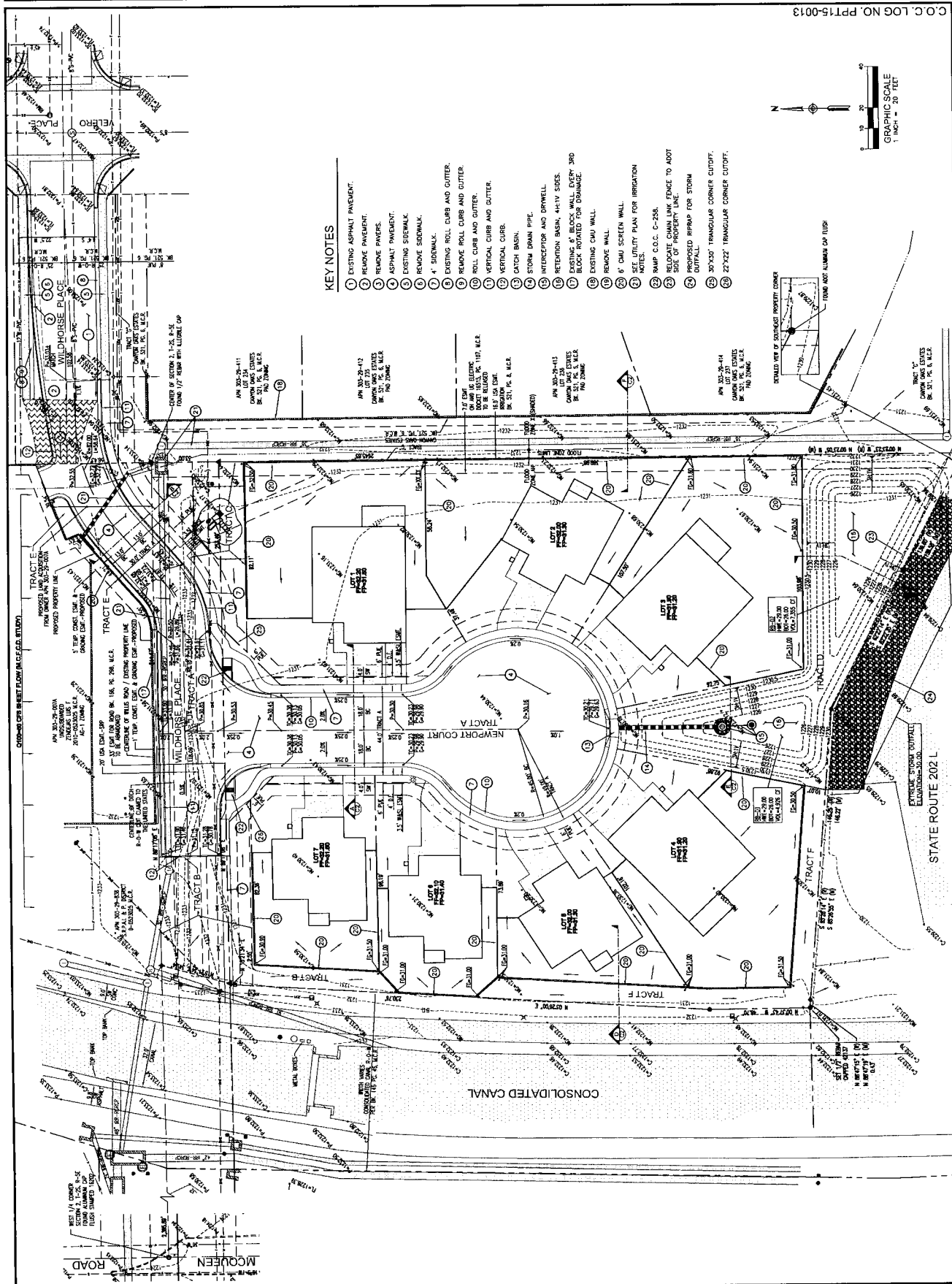
SECTION B-B
SCALE: 1"=10'

LEGEND

PROPERTY LINE	TRANSFORMER	STREET LIGHT	POWER POLE	POWER POLE W/ UNDERGROUND ELECTRIC	FOUND 1/2" REBAR SET CAP 42137	FOUND 5/8" REBAR SET CAP 42137	FOUND 1/2" REBAR CAPED 15573	FOUND ADOT ALUMINUM CAP FLUSH	EXISTING SPOT ELEVATION	PROPOSED ELEVATION	EXISTING CONTOUR	PROPOSED CONTOUR	WALL	FENCE	CURB AND GUTTER	CONCRETE SURFACES	INDICATES DRIVEWAY (MEANS OF ACCESS)	SIGN	FIRE HYDRANT	WATER VALVE	WATER METER	GAS VALVE	GAS METER	WATER BACKFLOW PREVENTION ASSEMBLY	PROPOSED UTILITY PER CONSTRUCTION NOTE CALLOUT
---	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

ABBREVIATIONS

APPROPRIATE PARCEL NUMBER	VARADORA COUNTY RECORDER
BC BACK OF CURB	M MEASURED DATA
BN BACK	NC NATURAL GROUND
BN BACK OF WALL	OHE OVERHEAD ELECTRIC
BO BOTTOM (OF BASIN)	P PAVEMENT
CB CATCH BASIN	PC PAVE
C CONCRETE	PL PROPERTY LINE
C COX CABLE	PP POWER POLE
DE DRAINAGE EASEMENT	R RECORD DATA
E EASEMENT	RM TOP OF RM
E ELECTRIC	RS RETENTION BASIN
EG EXISTING GROUND	R-O-W RIGHT-OF-WAY
FC FACE OF CURB	S SANITARY SEWER
FF FINISHED FLOOR	SD SIDEWALK
FG FINISHED GRADE	SD STORM DRAIN
PP FINISHED PAV	T TELEPHONE
PL FLOW LINE	TC TOP OF CURB
FW FACE OF WALL	TF TOP OF FOOTING
G GAS	TRANS
GB GUTTER	TM TOP OF WALL
GB GRADE BREAK (RIDGE)	TW TOP OF RETAINING WALL
GR GRATE	TYPE
HIGH WATER ELEVATION	USE UNDERGROUND ELECTRIC
E INVERT ELEVATION	W WATER
M MANHOLE	

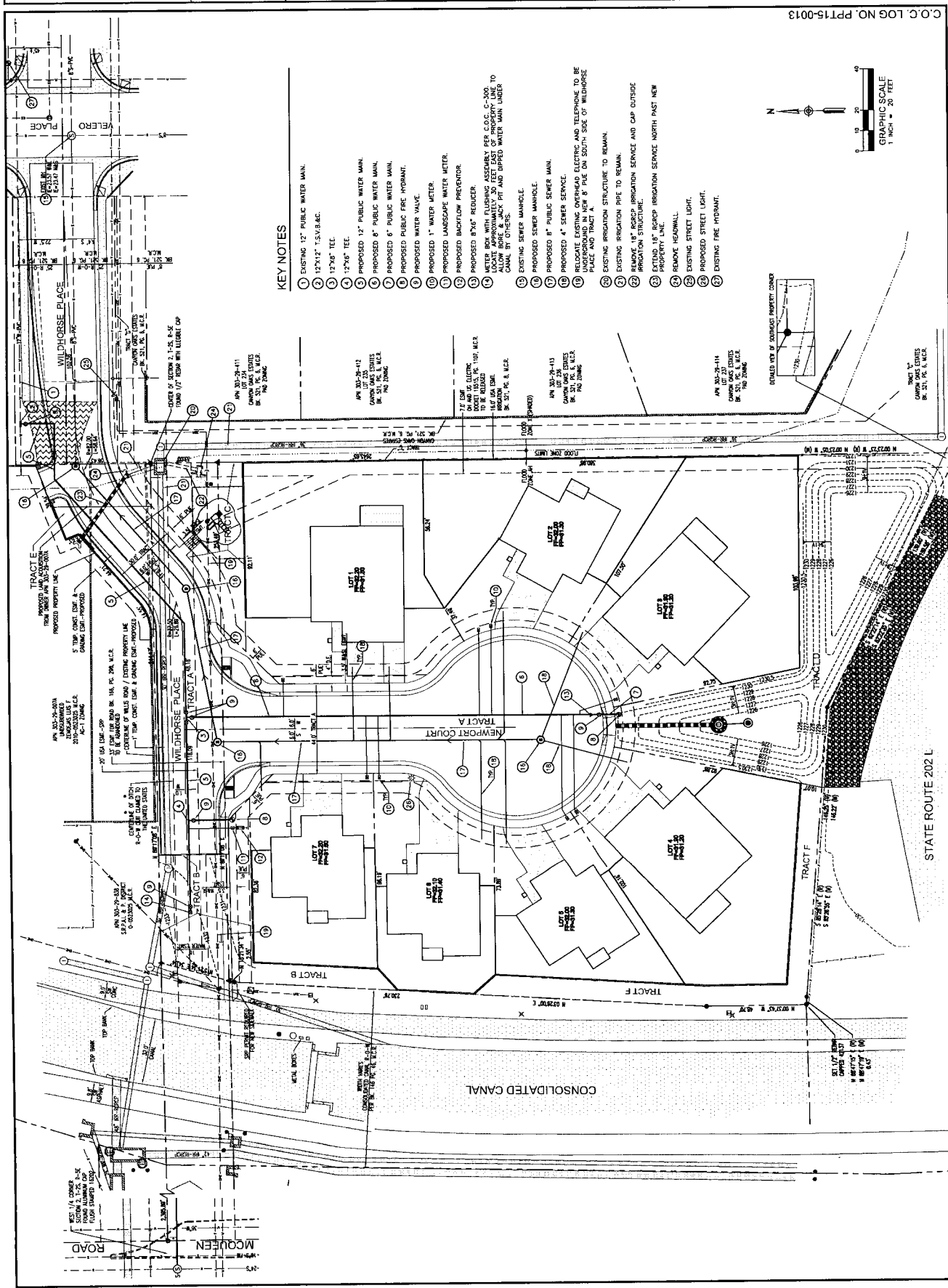




PRELIMINARY PLAT

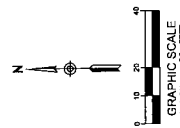
CANAL VIEW HOMES WILDHORSE PLACE CHANDLER, ARIZONA 85286

SCALE: 1"=20'
DATE: 3/27/16
REVISIONS:
A
A
A
PROJECT NO.: 1304
PRELIMINARY PLAT
SHEET: 4 OF 4
C4



KEY NOTES

- EXISTING 12" PUBLIC WATER MAIN.
- 12"x12" 15x18" A.C.
- 12"x6" TEE.
- PROPOSED 12" PUBLIC WATER MAIN.
- PROPOSED 8" PUBLIC WATER MAIN.
- PROPOSED 6" PUBLIC WATER MAIN.
- PROPOSED 6" PUBLIC FIRE HYDRANT.
- PROPOSED WATER VALVE.
- PROPOSED 1" WATER METER.
- PROPOSED LANDSCAPE WATER METER.
- PROPOSED BACKFLOW PREVENTOR.
- PROPOSED 8"x6" REDUCER.
- METER BOX WITH FILLING ASSEMBLY PER C.O.C. C-200 TO BE LOCATED AT THE INTERSECTION OF WILDHORSE PLACE AND TRACT A. ALLOW BORE & JACK PIT AND DRIPPED WATER MAIN UNDER CANAL BY OTHERS.
- EXISTING SEWER MANHOLE.
- PROPOSED SEWER MANHOLE.
- PROPOSED 8" PUBLIC SEWER MAIN.
- PROPOSED 4" SEWER SERVICE.
- RELOCATE EXISTING OVERHEAD ELECTRIC AND TELEPHONE TO BE UNDERGROUND AND LOCATE 6" PIPE ON SOUTH SIDE OF WILDHORSE PLACE AND TRACT A.
- EXISTING IRRIGATION PIPE TO REMAIN.
- EXISTING IRRIGATION SERVICE AND CAP OUTSIDE IRRIGATION STRUCTURE.
- EXTEND 18" RIBBON IRRIGATION SERVICE NORTH PAST NEW PROPERTY LINE.
- REMOVE HEADWALL.
- EXISTING STREET LIGHT.
- PROPOSED STREET LIGHT.
- EXISTING FIRE HYDRANT.



C.O.C. LOG NO. PPT15-0013

Canal View Homes
PAD/PDP and Preliminary Plat
Application Number: DVR15-0027

INTRODUCTION

The Star Tech USA LLC is submitting this request for approval to Rezone the property to Planned Area Development (“PAD”); approval for a Preliminary Development Plan (“PDP”) and companion Preliminary Plat for the Subdivision Layout and Housing Product.

The subject property is located west of the southwest corner of Wildhorse Place and Velero Place (see Aerial photo). The property is currently zoned as AG-1 and vacant. Canal View Homes is a new residential community on a site that is currently vacant and undeveloped. The intent of these request are to accommodate the development of a 7 lot single-family residential community.

The first request seeks to rezone the subject +/- 2.04 acre property located west of the southwest corner of Wildhorse Place and Velero Place to PAD (“Planned Area Development”) and includes a companion PDP and Preliminary Plat request to allow the development of this property for a single-family detached residential subdivision.

The site is located within the Chandler Airpark Area Plan and is designated as “Low Density Residential”. This land use category would allow development of 1.6 to 3.5 dwelling units per acre. The proposed density for this residential subdivision will be 3.43 dwelling unit per acre (Max. of 7 homes for this project) and is in compliance with the “Low Density Residential” land use designation. West of the subject site is an existing canal. To the north is a single-family home (zoned AG-1). To the east are single family homes within the Canyon Oaks Estates residential community zoned PAD. To the south exists the San Tan Loop 202 Freeway. The subject site is an irregular shaped remnant piece left over from the development of the San Tan Loop 202 freeway. The only access to the site will be from Wildhorse Place, a local street.

REQUESTS

Four applications have been filed for the site:

1) Annexation from the County to City of Chandler.

It should be noted that the original application included an Area Plan Amendment of the Chandler Airpark Area Plan to change the existing “LDR” (Low Density Residential) land use designation to “LMDR” (Low-Medium Density Residential), however, the applicant reduced the lot count from 8 single family residential lot down to 7. Because of this reduction in lots an Area Plan Amendment is no longer necessary.

- 2) The second and third applications seek to rezone the 2.04 acre site from AG-1 to Planned Area Development ("PAD") for single-family homes with a companion Preliminary Development Plan ("PDP") for site plan, landscape and house product approval.
- 4) The fourth companion application seeks Preliminary Plat approval.

Canal View Homes will be of an upscale nature that will entice new single-family home buyers to this area of the City.

Rezoning and Preliminary Development Plan

The companion PAD/PDP application seeks approval to Rezone the property from AG-1 to Planned Area Development ("PAD"). This request also seeks companion approval for a Preliminary Development Plan ("PDP") and Preliminary Plat for the Subdivision Layout and Housing Product to allow a 7-lot single family residential detached home subdivision. The proposed density for this residential subdivision will be 3.43 dwelling unit per acre.

The goal of the site design is develop this vacant land which has been land locked for many years with a compatible detached single-family residential subdivision. In order to achieve access to this land locked parcel, a deal was negotiated with the property owner to the north to purchase a portion of his land to allow access to the development through a private road. The owners worked closely with the City to make sure the design works and is acceptable to the City.

This project will have a single entry and includes 7 single family detached homes, tot-lot and its own open space/retention areas for its residents to enjoy. This is a well-organized architecturally pleasant residential project. Its style blends smoothly into southwestern Spanish style.

SITE DESIGN

The site is designed to mostly emphasize the simplicity of a cul-de-sac circulation design with one main entrance. A continuous landscape strip is provided along entrance adjacent to the property to create a pleasant drive up to this development. An enhanced entry is provided at the main entry to provide a sense of arrival to this community. All lots are designed so that they face inward onto the site internal cul-de-sac road.

The home designs are in harmony with the existing neighborhood development while making efficient use of the land and meeting City of Chandler design guidelines and standards with minor deviations which have been requested by submitting form UDM-173/Engineering (Please reference attached request dated July 13, 2015).

The home designs consist of two two-story floor plan types ranging from approximately 2,900 SF to about 3,400 SF with minor optional variations for each floor plan type. Five different

elevation types have been designed for the homes and the elevation styles are differentiated by changes to the façade with variations to decorative architectural elements, balcony configurations, covered/uncovered balconies, variations to the roof line, introduction of different window styles and shutters as well as introduction of manufactured stone material for some elevations. The exterior elevation characters are consistent with the adjacent and surrounding homes in the area. The homes will have wood framing construction with concrete tile roofs and stucco exterior finish with multiple southwest desert color schemes.

Effort has been made to keep building setbacks consistent with the surrounding community. Based on the infill nature, side setbacks are a minimum of 5' although many lots will allow for a 5' and 10' setback. Typical building setbacks provided along the perimeter of the development are: 22'-0" along north property line, 10'-0" along east property line, 15'-0" along west property line, 10'-0" along south property line. Landscape setbacks provided along the perimeter of the development are: 12'-0" along north property line, 0'-0" along east property line, 10'-0" along west property line, 10'-0" along south property line. There are two on site retention areas located within this project that can be used by children and grown-ups. These areas are landscaped with trees and plantings. There are plenty of parking spaces available throughout the site.

Building setbacks will comply with the attached PDP plan. Landscape setback shall comply as shown on the PDP plan.

Development Standards	
Minimum Lot Area:	5, 117 square feet
Minimum Lot Width:	Per Plan
Maximum Lot Coverage:	50%
Maximum Building Height:	2-story or 30-feet
Setbacks:	
Front:	18-feet from back of curb.
Rear:	Minimum 10-feet.
Side:	Minimum 5-feet side.

RESIDENTIAL PRODUCTS

As mentioned above, there are two types of residential floor plans. Building layout and setbacks shall comply with the above Development Standards. All homes provide adequate sized driveway to accommodate two additional parking spaces, modern appliances, and energy efficient air-conditioning units.

Residential products will comply with all required architectural diversity elements along with each home have been designed with optional elements.

Required Elements are:

1. Four sided architecture.
2. Front door visible from street.
3. Enhance rear elevation.
4. Variety of roof colors.
5. Durable exterior material.

CONCLUSION

We believe this PAD with PDP requests and Preliminary Plat for a new single-family residential project is consistent with the surrounding land use and zoning and provides a good land use solution for this vacant infill site. It also provides an opportunity for first time buyer in this area of the City. Approval of this companion PAD/PDP requests will not be detrimental to the area. Indeed, we feel it will be beneficial. The proposed development provides a unique, high quality residential development with innovative site design that is compatible with the neighborhood.

Vacant parcels without productive use tend to destabilize and degrade the adjacent area. Stylish exterior architectural detailing, quality construction, along with lush exterior landscaping will transform this vacant eye sore into a beautiful new high quality residential development. This companion PAD/PDP and Preliminary Plat requests for a residential development will fit well into the fabric of this community.

In an effort to reach out to the surrounding community through dialogue the developer has come to an agreement to install improvements requested by the community where possible and or achievable pending approvals by SRP (due to certain easements) and City of Chandler. Please reference attached agreement appendix for a list of items agreed upon as a result of the neighborhood meetings.



MEMORANDUM

Airport Memo No. AP16-021

DATE: NOVEMBER 19, 2015
TO: JEFF KURTZ, PLANNING ADMINISTRATOR
FROM: CHRIS ANDRES, AIRPORT ADMINISTRATOR *CA*
SUBJECT: AIRPORT CONFLICT EVALUATION
DVR15-0027 CANAL VIEW HOMES

At their November 18, 2015 meeting, the Chandler Airport Commission ("Commission") discussed the rezoning request for the Canal View Homes subdivision development located near the northeast corner of Loop 202 and the Consolidated Canal.

Finding: The Commission determined the proposed development **constitutes a conflict** with existing or planned airport uses.

Conflict(s) Cited: The proposed development contains single-family residential units and the site will experience aviation noise and vibration impact from aircraft in the normal airport traffic pattern.

Conflict Resolution(s): If the development is approved, physical and administrative corrective actions should be employed including, without limitation:

Physical corrective actions: (1) construction of all houses built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at least one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective purchasers of property in the subdivision should be required to sign separate disclosure statements, (i) acknowledging the proximity to the Chandler Airport, and (ii) the potential for impact from aviation noise and vibrations; (2) all prospective purchasers of property should be required to sign the disclosure statements before a purchase contract is signed and again at the transaction closing; (3) dedication of an aviation easement to the City; (4) display of a large size map in the onsite sales office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler

Airpark Area Plan; (5) submittal of a signed affidavit and photograph of the prior referenced map display; (6) inclusion of an affirmative disclosure statement on the final plat; (7) inclusion of the physical and administrative corrective actions in the Subdivision Public Report that is submitted to the Arizona Department of Real Estate.

Commission Members in Attendance: Chairman Kelly McMullen, Vice Chairman David Sperling, Chelle Daly, Schulyer "Sky" McCorkle, and Frank Nechvatal were in attendance. This attendance represented a quorum.

Per the Airport Conflicts Evaluation Process, the Commission voted 5-0 to forward a report to the Planning Administrator indicating the finding noted above.

Attached is a full copy of the Airport Conflict Evaluation for the above referenced project.

cc: Kevin Mayo, Planning Manager

Attachment: Airport Conflict Evaluation



MEMORANDUM

Airport - Memo No. AP16-020

DATE: NOVEMBER 18, 2015

TO: CHANDLER AIRPORT COMMISSION

FROM: CHRIS ANDRES, AIRPORT ADMINISTRATOR *CA*

SUBJECT: AGENDA ITEM 4.B. - AIRPORT CONFLICT EVALUATION
-DVR15-0027 CANAL VIEW HOMES
NEAR NORTHEAST CORNER OF PASEO TRAIL AND LOOP 202 SANTAN
FREEWAY

RECOMMENDATION:

Staff recommends the Airport Commission present an Airport Conflict Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for the proposed Canal View Homes single-family residential subdivision.

BACKGROUND:

The approximately 2 acre site is located near the northeast corner of the Paseo Trail and the Loop 202 Santan freeway, which is approximately one-half mile (1/2 mi.) north of the Chandler Municipal Airport property line. (*Exhibit A - Vicinity Map, Exhibit B - Property Location*). The property is bounded by an existing single-family residential subdivision to the east, planned multifamily development to the west, a single family home to the north, and the Loop 202 freeway to the south.

The proposed project is an eight lot single family residential subdivision (*Exhibit C - Site Plan, Exhibit D: Elevations*) with an average home size of 6,850 sq. ft. with 2 stories. The Applicant's request is:

- Rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Single Family Residential with;
- A Preliminary Development Plan (PDP) for subdivision layout and design;

A Chandler Airpark Area Plan Amendment will be forthcoming to increase the density to allow for 3.6 to 8 dwelling units per acre (du/ac).

The City of Chandler General Plan designates the property for residential and denotes that the property is within the Airpark Area Plan. The Airpark Area Plan designates the site as Low-Density Residential, allowing 1.6 to 3.5 du/ac (*Exhibit E – Chandler Airpark Area Plan Land Use Plan*).

ANALYSIS:

The proposed single-family residential use is: i) within the Low-Medium Density Residential category, and is consistent with the Airpark Area Plan.

The subject property is approximately one-half mile (1/2 mi.) north of the Airport property line. The proposed development will experience a significant number of daily overflights from aircraft in the normal airport traffic pattern (*Exhibit F – Flight Tracks*). Flight operations are typically between sunrise and sunset and, at this location, the flight traffic pattern altitude for fixed wing aircraft is approximately 800 feet above ground level. However, aircraft may frequently be at lower altitudes. Outdoor activities are especially susceptible to overflight noise, depending on the nature of the activity. Single family residences under or near the flight traffic pattern are a significant source of noise complaints for the Airport.

Based on the maximum allowable building heights, the proposed development does not appear to pose a hazard to flight safety or be an airspace obstruction.

Due to the proximity to the Airport, the developer will need to file a Notice of Proposed Construction with the Federal Aviation Administration.

AIRPORT CONFLICT EVALUATION PROCESS

In January 2002, the City Council adopted an Airport Conflicts Evaluation (ACE) Process policy requiring any zoning changes within the nine square-mile Chandler Airpark Area to be reviewed by the Airport Commission to determine if the use and/or development will be a conflict with current and future airport operations. The ACE policy specifically outlines the Commission's tasks as they relate to this review. These tasks are noted in underline and italics:

1. *The Airport Commission's determination as to whether conflicts exist between the proposed development and airport uses.*
2. *If conflicts exist, the specific areas of conflict.*
3. *If conflicts exist, a statement of corrective actions which can be taken, if there are any*
4. *The Airport Commission Members voting in support of the Airport Commission's determination and those members voting in opposition to the Airport Commission's determination.*

Airport staff provides the Airport Commission with information and a recommendation regarding the proposed project and the conflict evaluation process. Staff will compile and forward an ACE report that summarizes the Airport Commission's discussion and findings to the Zoning Administrator. Planning staff will report the Airport Commission's findings regarding potential for airport conflicts to Planning and Zoning Commission and to City Council.

FINDINGS

1. The Airport Commission's determination as to whether conflicts exist between the proposed development and airport uses. A conflict **exists** between the proposed development and proposed airport uses.
2. If conflicts exist, the specific areas of conflict. The proposed development contains single-family residential units and the site will experience aviation noise and vibration impact from aircraft in the normal airport traffic pattern.
3. If conflicts exist, a statement of corrective actions which can be taken, if there are any.

If the development is approved, physical and administrative corrective actions should be employed including, without limitation:

Physical corrective actions: (1) construction of all houses built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at least one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective purchasers of property in the subdivision should be required to sign separate disclosure statements, acknowledging (i) the proximity to the Chandler Airport and (ii) the potential for impact from aviation noise and vibrations; (2) all prospective purchasers of property should be required to sign the disclosure statements before a purchase contract is signed and again at the transaction closing; (3) dedication of an avigational easement to the City; (4) display of a large size map in the onsite sales office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan; (5) submittal of a signed affidavit and photograph of the prior referenced map display; (6) inclusion of an affirmative disclosure statement on the final plat; (7) inclusion of the physical and administrative corrective actions in the Subdivision Public Report that is submitted to the Arizona Department of Real Estate.

4. The Airport Commission Members voting in support of the Airport Commission's determination and those members voting in opposition to the Airport Commission's determination. To be determined through Commission discussion and action.

PUBLIC MEETINGS

On September 29, 2015, a public neighborhood meeting was held at the Chandler Municipal Airport Terminal, 2380 S. Stinson Way in Chandler. No members of the public attended.

On November 2 2015, the Airport Commission's Development and Land Use Subcommittee reviewed the proposed development and unanimously voted to find a "conflict with airport uses".

PROPOSED MOTION:

Memo No. AP16-020

Page 4

Move to present an Airport Conflicts Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for Canal View Homes.

ATTACHMENTS:

- A. Vicinity Map
- B. Property Location
- C. Site Plan
- D. Elevations
- E. Chandler Airpark Area Plan Land Use Plan
- F. Flight Tracks

EXHIBIT A: VICINITY MAP

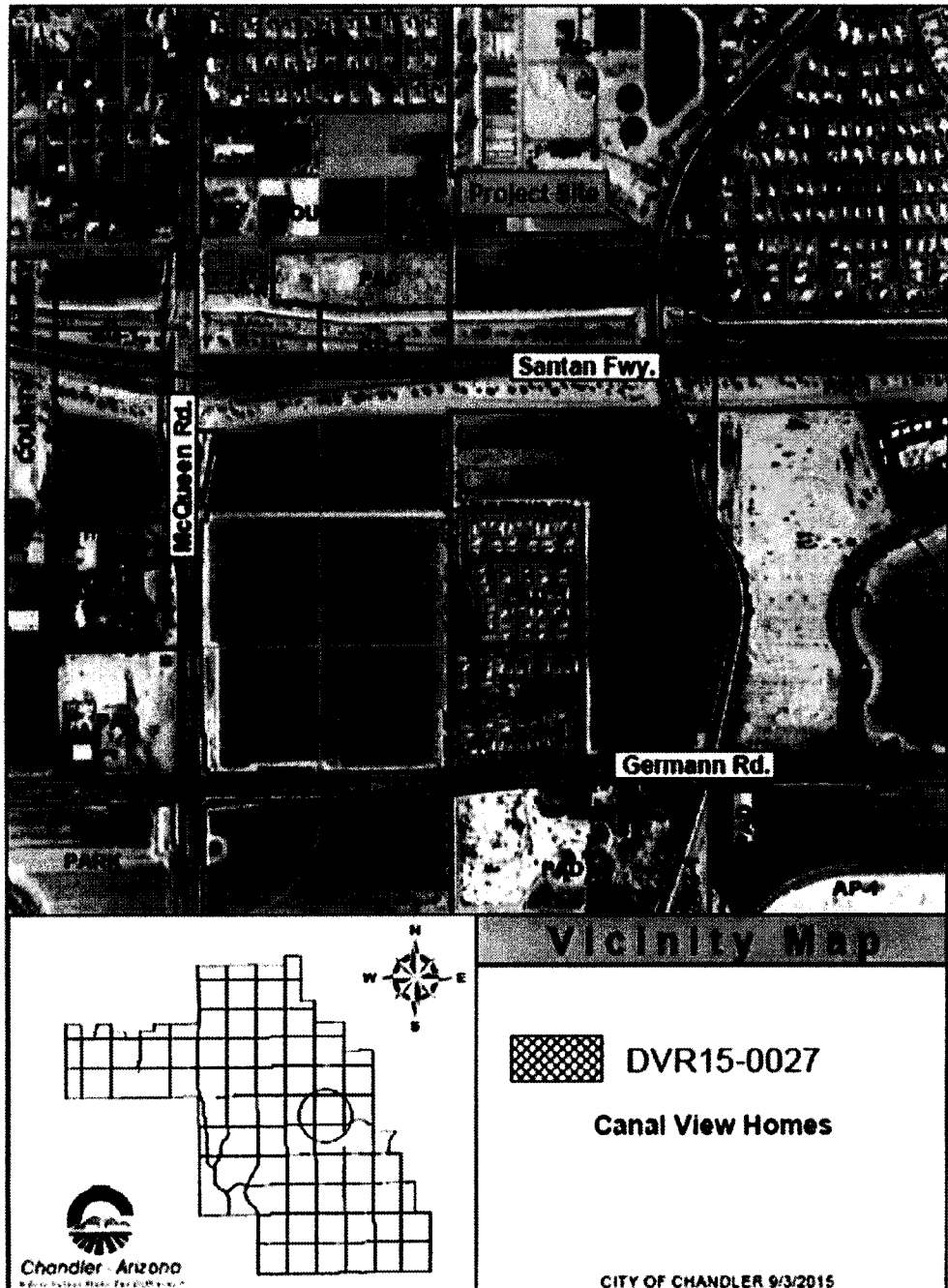


EXHIBIT B: PROPERTY LOCATION

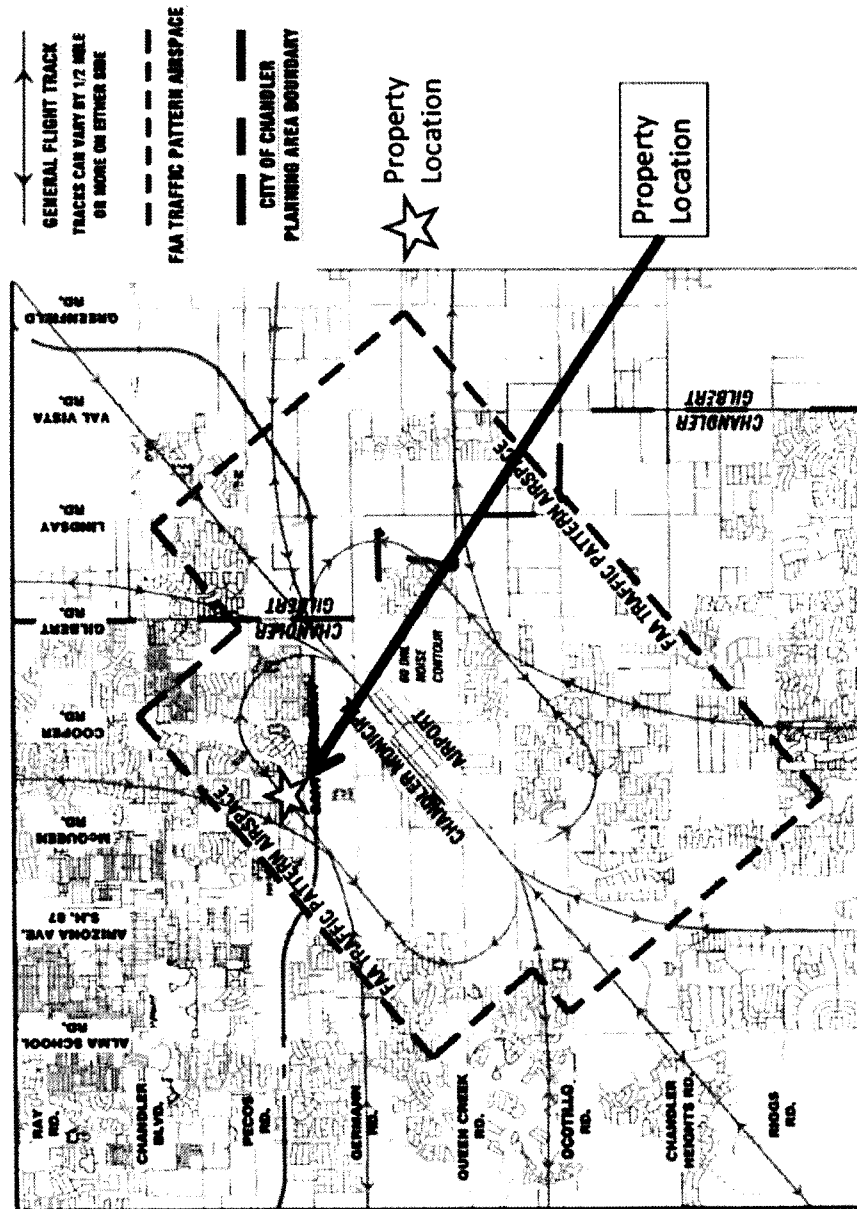


EXHIBIT C: SITE PLAN

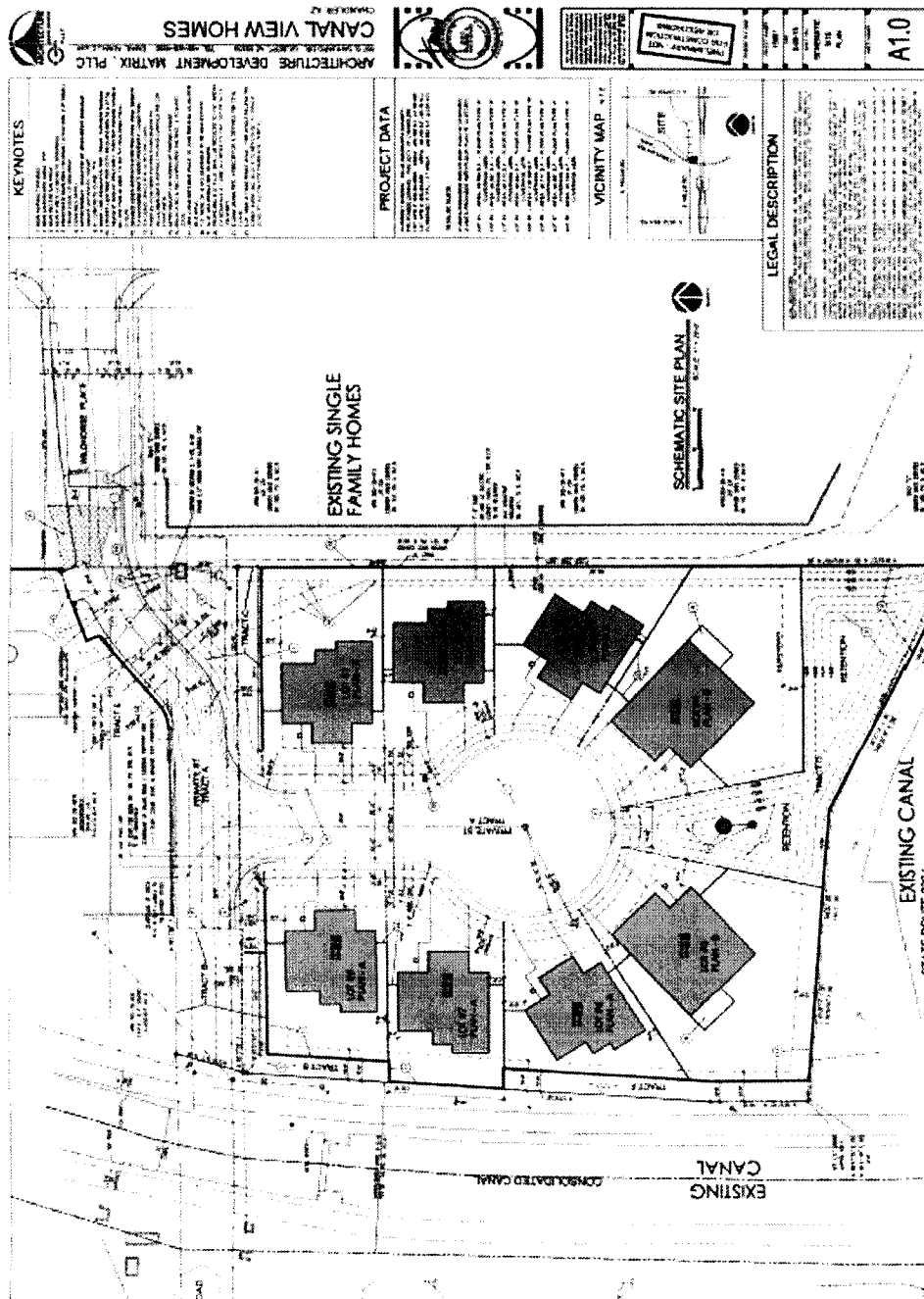


EXHIBIT E: CHANDLER AIRPARK AREA PLAN LAND USE PLAN

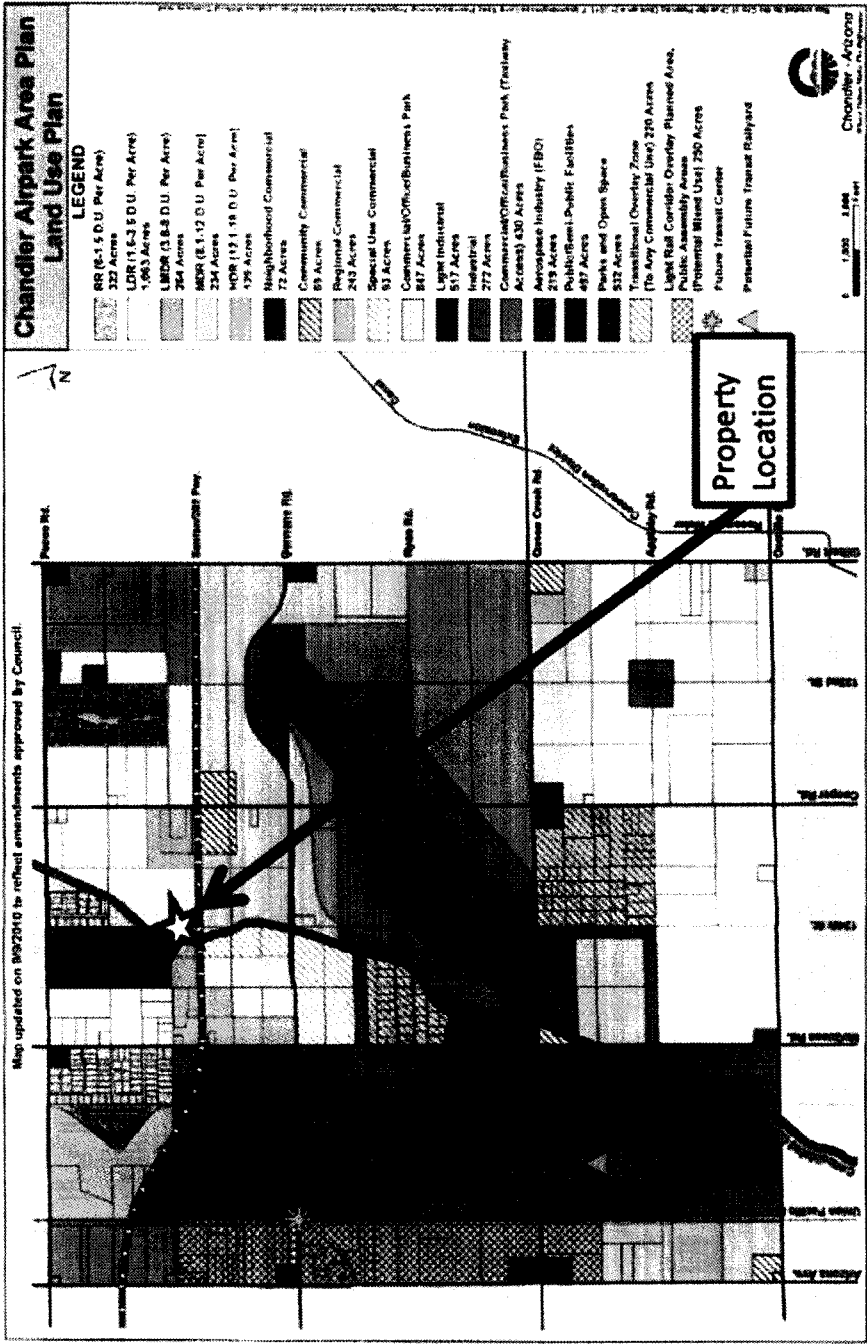
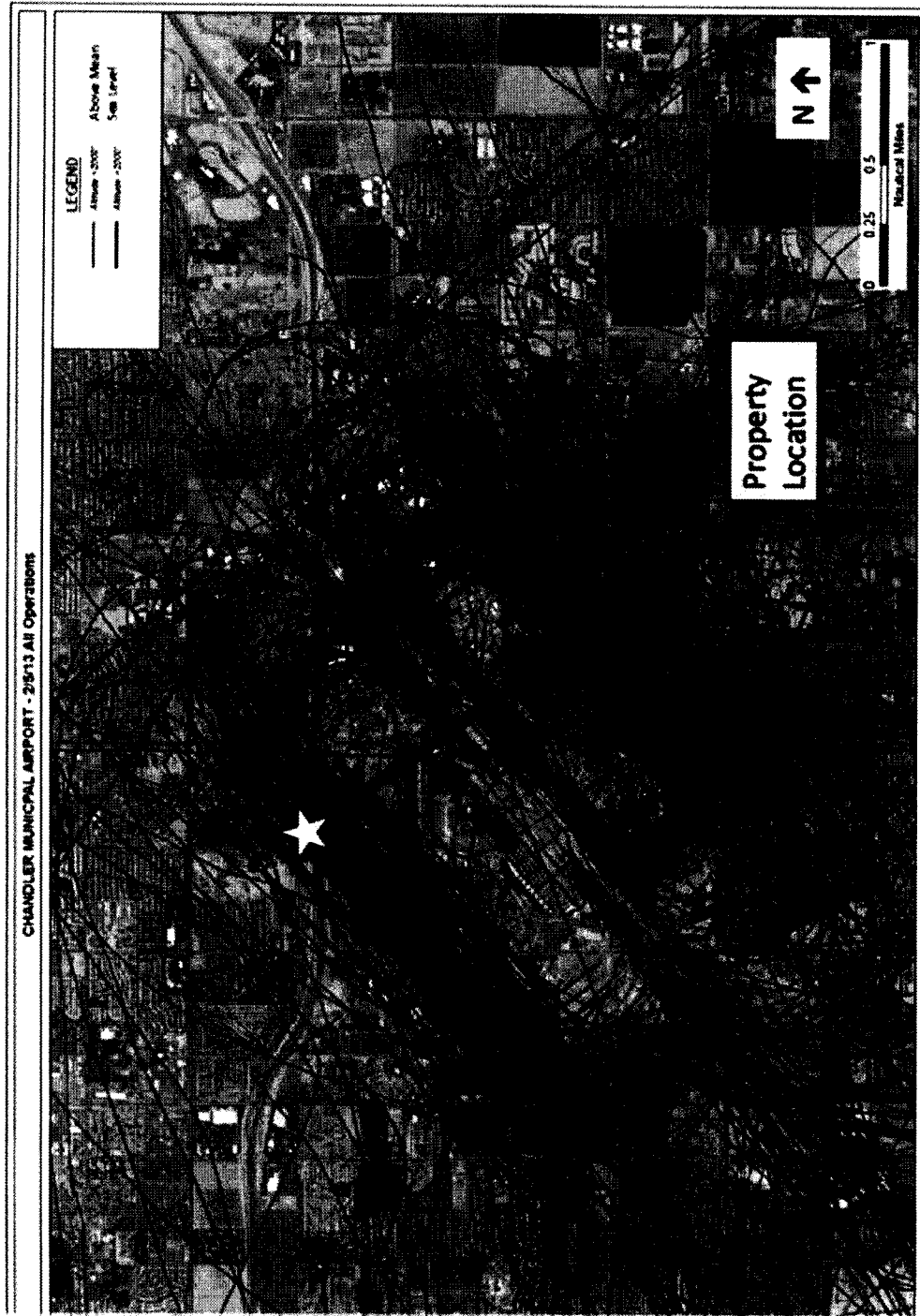


EXHIBIT F: FLIGHT TRACKS



ORDINANCE NO. 4686

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL IN CASE DVR15-0027 CANAL VIEW HOMES LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

See Attachment 'A'.

Said parcel is hereby rezoned from AG-1 to PAD for Single-Family Residential, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for

development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F.A.R. Part

150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

- c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
 - d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
 - f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
 - g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and over flight activity, and is encumbered by an avigational easement to the City of Chandler."
9. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously

with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

10. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
11. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a wastewater treatment facility at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
12. At the time of sale, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the canal right-of-way together with the adjoining easements dedicated to the City of Chandler, is developed as a multi-trail system for use by the general public.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning Division of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this _____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4686 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2016, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *fn* 3.18.16

PUBLISHED:

Exhibit A

Legal Description

That portion of the Northeast quarter of the Southwest quarter of Section 2, Township 2 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, lying East of the Consolidated Canal and North of the following described EXISTING NORTHERLY RIGHT-OF-WAY LINE of State Route 202L (SANTAN FREEWAY):

EXISTING NORTHERLY RIGHT-OF-WAY LINE DESCRIPTION:

Commencing at a City of Chandler (COC) brass cap marking the West quarter corner of said Section 2, from which a COC brass cap marking the Northwest corner of said Section 2 bears North 00 degrees 27 minutes 28 seconds West, 2715.03 feet;

Thence along the East-West mid-section line of said Section 2 North 89 degrees 17 minutes 08 seconds East, 92.20 feet to the POINT OF BEGINNING on the existing Northerly right-of-way line of said State Route 202L;

Thence along said existing Northerly right-of-way line, South 00 degrees 45 minutes 09 seconds East, 33.00 feet to a point in which said Northerly right-of-way line is congruent with the existing South right-of-way line of Willis Road;

Thence along said existing Northerly right-of-way line congruent with the existing South right-of-way line of Willis Road, North 89 degrees 17 minutes 08 seconds East, 328.00 feet;

Thence continuing along said existing Northerly right-of-way line, South 00 degrees 42 minutes 52 seconds East, 247.34 feet;

Thence continuing along said existing Northerly right-of-way line, South 83 degrees 59 minutes 56 seconds East, 405.79 feet;

Thence continuing along said existing Northerly right-of-way line, North 88 degrees 47 minutes 15 seconds East, 1546.21 feet;

Thence continuing along said existing Northerly right-of-way line, South 85 degrees 28 minutes 14 seconds East, 146.25 feet;

Thence continuing along said existing Northerly right-of-way line, South 62 degrees 22 minutes 14 seconds East, 139.60 feet to the POINT OF ENDING on the North-South mid-section line of said Section 2 from which a rebar with cap marking the center of said Section 2 bears North 00 degrees 23 minutes 23 seconds West, 394.00 feet.

The parcel of land herein conveyed shall have no right or easement of access to said State Route 202L.

The parcel of land described above is landlocked, having no means of access to or from any public way.

By acceptance of this deed, the Grantee acknowledges awareness of the landlocked condition of this parcel prior to purchase and further acknowledges that it is the Grantee's expressed intention to acquire a land locked parcel of land. The Grantor makes no warranty, covenant or assurance, expressed or implied, concerning the suitability or usability of this parcel of land for any purpose.

GRANTOR RESERVES unto the public and various utility companies, easements for existing utilities, if any, within the above described property, in accordance with Arizona Revised Statute 28-7210.